

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Sherrie James-Hawthorne

Chapter: 13

Bankruptcy No.: 22-10908-mdc

Debtor

11 U.S.C. § 362

Carrington Mortgage Services, LLC

Movant

vs.

Sherrie James-Hawthorne

Debtor

and

KENNETH E. WEST

Trustee

RESPONDENTS

**OBJECTIONS OF CARRINGTON MORTGAGE SERVICES, LLC TO CONFIRMATION OF
DEBTOR'S PROPOSED CHAPTER 13 PLAN**

Carrington Mortgage Services, LLC, by and through its undersigned attorney, Michael Clark, Esquire, hereby objects to the confirmation of the Debtor's proposed Chapter 13 Plan for the following reasons:

1. Carrington Mortgage Services, LLC, is in the process of filing a Proof of Claim with respect to its secured interest in real estate property of the Debtor or of the estate which is commonly known as and located at 46 Northrup Ct, Newtown, PA 18940, such Proof of Claim will indicate an estimated arrearage claim in the amount of \$100,425.62. The claims bar date is June 16, 2022. The plan proposes to pay \$0.00. Accordingly, the Chapter 13 Plan does not properly address the pre-petition claim of Carrington Mortgage Services, LLC. *See* 11 U.S.C. Sec. 1325(a)(5).
2. Based on the information provided by Debtor in Schedules I and J, Debtor does not have sufficient monthly income to pay the correct amount of the pre-petition arrears of Carrington Mortgage Services, LLC over a sixty (60) month period. Accordingly, Debtor's proposed Chapter 13 Plan is not financially feasible. *See* 11 U.S.C. Sec. 1325(a)(6).

3. Debtor need(s) to have an additional \$1,673.76 per month in order to pay the arrears of Carrington Mortgage Services, LLC only, over a sixty (60) monthly period. There is absolutely no indication or evidence from Debtor's Schedules that she/he/they has the ability to obtain such additional income. Accordingly, Debtor's proposed Chapter 13 Plan is not financially feasible. *See* 11 U.S.C. Sec. 1325(a)(6).
4. Due to all of the defects in the Debtor's proposed Chapter 13 Plan, as aforesaid, such Plan could not have been proposed in good faith. *See* 11 U.S.C. Sec 1325(a)(7).

WHEREFORE, Carrington Mortgage Services, LLC prays that its objections be sustained and that confirmation of Debtor's Chapter 13 Plan be denied.

Respectfully submitted,

/s/ Michael Clark
Richard M. Squire, Esq.
M. Troy Freedman, Esq.
Michael J. Clark, Esq.
One Jenkintown Station, Suite 104
115 West Avenue
Jenkintown, PA 19046
215-886-8790
215-886-8791 (FAX)
rsquire@squirelaw.com
tfreedman@squirelaw.com
mclark@squirelaw.com
Attorney for the Objecting Party

Dated: May 27, 2022